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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 ALEX AGUILAR, JR., and P.A., by
12 and through her Guardian Ad Litem,
13 Florence Ahumada, AND THE
14 ESTATE OF ALEX AGUILAR,
SR.,

15 Plaintiffs,

16 v.

17 CITY OF LOS ANGELES, ET AL.,
18

19 Defendants.
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CASE NO.
CV 17-04382-CBM (MRWX)

JUDGMENT [444] [JS-6]

Trial: February 8, 2023

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22 This action having been tried by a jury with the Honorable Judge Consuelo
23 B. Marshall presiding, and the jury having duly rendered its unanimous verdict, **IT**
24 **IS ORDERED, ADJUDGED, and DECREED:**

25 1. That Judgment is entered in favor of Plaintiff Estate of Alex Aguilar
26 Sr.¹ against Defendants City of Los Angeles, Matthew Medina, and Sergio Melero
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28 ¹ The decedent in this case is identified herein as “Alex Aguilar Sr.” The
plaintiffs in this case are the decedent’s estate (“Estate of Alex Aguilar Sr.”) and

1 on Plaintiffs' claims under 42 U.S.C. § 1983 for violations of the Fourth
2 Amendment rights of Alex Aguilar Sr. (the decedent) to be free from unreasonable
3 force.

4 2. That Judgment is entered in favor of Plaintiff Alex Aguilar Jr.,
5 Plaintiff P.A., and Plaintiff Estate of Alex Aguilar Sr. against Defendants City of
6 Los Angeles and Sergio Melero on Plaintiffs' claims for assault and battery of
7 Alex Aguilar Sr. (the decedent) and pursuant to, *inter alia*, California Code of
8 Civil Procedure § 377.30 et seq., California Code of Civil Procedure § 377.60 et
9 seq., and California Government Code § 815.2(a).

10 3. That Judgment is entered in favor of Plaintiff Estate of Alex Aguilar
11 Sr. against Defendant Sergio Melero on Plaintiffs' claim that Defendant Melero
12 acted with malice, oppression, and/or deliberate indifference when he violated the
13 Fourth Amendment rights of Alex Aguilar Sr. (the decedent) to be free from
14 unreasonable force, with no amount of punitive damages awarded.

15 4. That Plaintiff Estate of Alex Aguilar Sr. recover, jointly and severally,
16 from Defendants City of Los Angeles, Matthew Medina, and Sergio Melero the
17 amount of \$1,500,000.00, with interest thereon at the rate provided by law.

18 5. That Plaintiff P.A. recover, jointly and severally, from Defendants
19 City of Los Angeles and Sergio Melero the amount of \$600,000.00, with interest
20 thereon at the rate provided by law.

21 6. That Plaintiff Alex Aguilar Jr. recover, jointly and severally, from
22 Defendants City of Los Angeles and Sergio Melero the amount of \$600,000.00,
23 with interest thereon at the rate provided by law.

24 7. That Judgment is entered in favor of Defendants City of Los Angeles,
25 Matthew Medina, and Sergio Melero on Plaintiffs' claims under 42 U.S.C. § 1983
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28 his children: P.A., a minor, by and through her Guardian Ad Litem Florence
Ahumada ("P.A.") and Alex Aguilar Jr. ("Alex Aguilar Jr.")).

1 for violations of the Fourteenth Amendment rights of P.A. and Alex Aguilar Jr. to
2 their familial association with Alex Aguilar Sr. (the decedent) that were presented
3 at trial.

4 8. That Judgment is entered in favor of Defendants City of Los Angeles,
5 Matthew Medina, and Sergio Melero on Plaintiffs' claims under California Civil
6 Code § 52.1 that were presented at trial.

7 9. That Judgment is entered in favor of Defendant Matthew Medina on
8 Plaintiffs' claims for assault and battery of Alex Aguilar Sr. (the decedent) that
9 were presented at trial.

10 10. That Judgment is entered in favor of Defendant Dante Pagulayan and
11 against Plaintiffs Estate of Alex Aguilar Sr., P.A., and Alex Aguilar Sr. on all
12 claims presented against him at trial.

13 Pursuant to the Court's Order re: Briefs Regarding the Claims To Be Retried
14 and LAPD Findings (Dkt. No. 355), **IT IS ORDERED, ADJUDGED, and**
15 **DECREEED:**

16 11. That Judgment is entered in favor of Defendants City of Los Angeles,
17 Matthew Medina, Sergio Melero, Dante Pagulayan, Andrew Hudlett, and Enrique
18 Lopez on Plaintiffs' claims under 42 U.S.C. § 1983 for failure to protect Alex
19 Aguilar Sr. (the decedent) in violation of his Fourteenth Amendment rights
20 [deliberate indifference to Alex Aguilar Sr.'s emergency medical needs / finger
21 sweep claims];

22 12. That Judgment is entered in favor of Defendant Enrique Lopez on
23 Plaintiffs' claims under 42 U.S.C. § 1983 for violations of the Fourteenth
24 Amendment rights of P.A. and Alex Aguilar Jr. to their familial association with
25 Alex Aguilar Sr. (the decedent) [deliberate indifference to Alex Aguilar Sr.'s
26 emergency medical needs / finger sweep claims];

27 13. That Judgment is entered in favor of Defendants Sergio Melero,
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1 Matthew Medina, and Dante Pagulayan on Plaintiffs' claims under California
2 Government Code § 845.6 for the failure to summon emergency medical care
3 during the use of force incident;

4 14. That Judgment is entered in favor of Defendant Enrique Lopez on
5 Plaintiffs' claims under California Civil Code § 52.1 for failure to protect Alex
6 Aguilar Sr. (the decedent) in violation of his Fourteenth Amendment rights
7 [deliberate indifference to Alex Aguilar Sr.'s emergency medical needs / finger
8 sweep claims].

9 Pursuant to the Court's Order re: Briefs Regarding the Claims To Be Retried
10 and LAPD Findings (Dkt. No. 355), consistent with the claims asserted by
11 Plaintiffs and stated in the Final Pretrial Conference Orders, and as acknowledged
12 on the record by Plaintiffs, **IT IS ORDERED, ADJUDGED, and DECREED:**

13 15. That Judgment is entered in favor of Defendant Andrew Hudlett on
14 Plaintiffs' supervisory liability claims under 42 U.S.C. § 1983 for failure to protect
15 Alex Aguilar Sr. (the decedent) in violation of his Fourteenth Amendment rights
16 [deliberate indifference to Alex Aguilar Sr.'s emergency medical needs / finger
17 sweep claims].
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20 IT IS SO ORDERED AND JUDGMENT HEREBY ENTERED.

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22 DATED: March 10, 2023



23 HON. CONSUELO B. MARSHALL
24 United States District Judge
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